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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,097	12/21/2001	Muralidharan Ramaswamy	US010696	3447
24737	7590	03/22/2006	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			O STEEN, DAVID R	
			ART UNIT	PAPER NUMBER
			2623	

DATE MAILED: 03/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/029,097	RAMASWAMY, MURALIDHARAN	
	Examiner	Art Unit	
	David R. O'Steen	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4-1-2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5-10, 12-14, and 16-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Nemoto (US 5,214,622). As regards Claims 1 and 12, Nemoto discloses an apparatus for providing a reminder message to a display comprising: a handheld device comprising an input device for entering a reminder message (fig. 4.26 and col. 6, lines 49-54) and a transmitter for wirelessly transmitting a signal (fig. 4.51 and col. 7, lines 5-10), the reminder message comprising reminder information and a time that the reminder information is to be displayed to a user (col. 1, lines 65-68); a memory device for storing reminder messages (figs. 2.1 and 4.15 and cols. 4 and 6, lines 61-67 and 45-49); a first processor operatively connected to said memory device for retrieving reminder messages from said memory device at the time selected for display of the reminder information and for processing the reminder message to generate a display signal for each retrieved reminder message, the display signal being capable to cause a message corresponding to the respective message to be displayed on a display (fig. 2.2 and cols. 4 and 5, lines 61-67 and 13-18); a second processor (fig. 2.7) suitable for receiving an audio/video signal (fig. 2.6) and for processing the received audio/video signal for presentation on a television display, and for receiving the display signal from

Art Unit: 2617

said first data processor and for causing the message corresponding to a retrieved reminder message to be displayed on the television display so that it is superimposed on at least a portion of the audio/video signal (fig. 1.11) presented on the television display (fig. 2.8) (col. 5, lines 18-22), the reminder message being displayed on the television display at the time selected for display of the reminder information (col. 5, lines 13-18).

As regards Claims 2 and 13, Nemoto discloses that said memory device for storing reminder messages and said first data processor reside in said handheld device (fig. 4.15 and col. 6, lines 45-49)

As regards Claims 3 and 14, Nemoto discloses said memory device for storing reminder messages resides in a set top box (fig. 2.1 and col. 4, lines 61-67).

As regards Claim 5, Nemoto discloses that the handheld device comprises a keyboard for entering alphanumeric data (fig. 3.26 and col. 6, lines 49-50).

As regards Claims 6, 7, and 16 Nemoto discloses means for allowing stored reminder messages to be displayed on a display for editing of the reminder messages (col. 11, lines 48-51).

As regards Claims 8 and 17, Nemoto discloses that said handheld device further comprises a display, and means for allowing a user to view the alphanumeric data as the user enters it with said keyboard (col. 7, lines 11-18).

As regards Claims 9 and 18, Nemoto discloses that the stored reminder messages are capable of being displayed on said display of the handheld device for editing of the reminder messages (col. 7, lines 11-18).

As regards Claims 10 and 19, Nemoto discloses that the stored reminder messages are capable of being displayed on the television display for editing of the reminder messages (col. 11, lines 36-54).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 11, 15, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nemoto (US 5,214,622) in view of Allen (US 6,259,891). Nemoto discloses the apparatus and method of Claims 1 and 12 but fails to disclose that the message corresponding to a retrieved reminder message is transmitted to and displayed on the television display as text in a closed caption television. Allen discloses that the message corresponding to a retrieved reminder message is transmitted to and displayed on the television display as text in a closed caption television (col. 7, lines 21-29).

Nemoto and Allen are analogous art because they both come from the same field of invention, namely the field of interactive television.

At the time of invention, it would have been obvious to a person ordinarily skilled in the art to use closed captioning to display reminder messages because closed captioning is an industry standard and commonly implemented on televisions and set-top boxes.

As regards Claims 11 and 20, Allen further discloses that a reminder message comprising text and an image is capable of being stored in said memory device for storing reminder messages, and a reminder message comprising text and an image is capable of being retrieved and displayed on the television display (col. 7, lines 29-33).

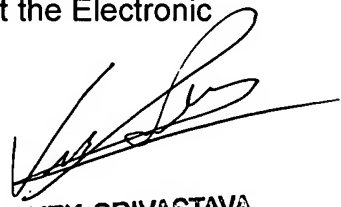
Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chernock (US 6,813,776) and Lawler (US 5,699,107) both disclose message reminder systems including displaying both text and graphics.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David R. O'Steen whose telephone number is 571-272-7931. The examiner can normally be reached on 8:30 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



VIVEK SRIVASTAVA
PRIMARY EXAMINER